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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,252	04/08/2004	Gunter Lipka	22837	8392

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EXAMINER

LE, HOANGANH T

ART UNIT PAPER NUMBER

2821

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	<b>Application No.</b> 10/821,252	<b>Applicant(s)</b> LIPKA ET AL.	
	<b>Examiner</b> HoangAnh T. Le	<b>Art Unit</b> 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**HoangAnh Le**  
**Primary Examiner**

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/04&amp;9/04</u> . | 6) <input type="checkbox"/> Other: ____.  |

### **DETAILED ACTION**

1. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 9 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 9, "said support" and "said part" has no antecedent basis.

In claim 10, "said upper and lower parts" has no antecedent basis.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Yokota et al (the US Patent No. 6,825,812).

The Yokota et al reference teaches in figure 2B an antenna assembly for a motor vehicle having a vehicle body and a member 12 provided on the body with an antenna conductor structure 15,16, the antenna assembly comprising: a housing 24 containing an antenna signal processor unit including a printed circuit board 20; a carrier 28 mounted on or in the housing; and a contact element 29 on the carrier engaging the printed circuit board and adapted to contact a conductive portion of the structure upon mounting of the housing on the body (figure 2B). The member 12 is a window of the motor vehicle and the housing is mounted on the body of the vehicle adjacent an edge of the window (figure 2B). The housing overhangs the edge (figure 2B). The element has an upper part 33 and a lower part 30 movable toward and away from one another and under a prestress (figure 5B), one of the parts bearing upon the printed circuit board and the other of the parts bearing upon the conductive portion (figure 2B). The upper part has a continuous electrically conductive connection over its length with the lower part whereby the printed circuit board is in constant electrical connection with the structure (figure 5B). Each of the upper and lower parts has respective arms 30,33 guided in guide rails, the arms having hooks at ends thereof engageable with the rails for limiting outward displacement of the upper and lower parts with respect to one another (figure 5B). The continuous connection 34 is formed by a conductive plastic strip, a braid or a flat cable. The prestress is produced by a coil spring 34 braced between the upper and lower parts 33, 30. The support and at least a portion of the

parts is injection molded from synthetic resin (col. 5, lines 40-43). The upper and lower parts 33,30 are identical (figures 5A and 5B).

6. Claims 1,2,4,5,7, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Silva (the US Patent No. 6,903,698).

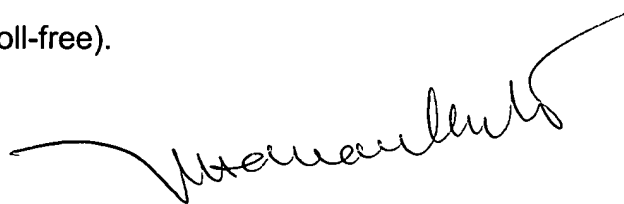
The Silva reference teaches in figure 1A an antenna assembly for a motor vehicle having a vehicle body and a member 100 provided on the body with an antenna conductor structure 101,102, the antenna assembly comprising: a housing 106 containing an antenna signal processor unit including a printed circuit board 106; a carrier 105 mounted on or in the housing; and a contact element 103 on the carrier engaging the printed circuit board and adapted to contact a conductive portion of the structure upon mounting of the housing on the body (figure 1A). The member 100 is a window of the motor vehicle and the housing is mounted on the body of the vehicle adjacent an edge of the window (figure 1A). The element has an upper part 5 and a lower part 6 movable toward and away from one another and under a prestress (figures 3 and 4), one of the parts bearing upon the printed circuit board and the other of the parts bearing upon the conductive portion (figure 5). The upper part has a continuous electrically conductive connection over its length with the lower part whereby the printed circuit board is in constant electrical connection with the structure (figure 5). The continuous connection 2 is formed by a conductive plastic strip, a braid or a flat cable (figure 4). The upper and lower parts 5,6 are identical (figures 3).

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HoangAnh T. Le whose telephone number is (571) 272-1823. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hoanganh Le  
Primary Examiner